

AO 440 (Rev. 12/09) Summons in a Civil Action

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## UNITED STATES DISTRICT COURT

for the

Northern District of California

DAVID GOULD, an individual, on behalf of himself  
and all others similarly situated,

Plaintiff

v.

FACEBOOK, INC., a Delaware corporation,

Defendant

) )  
)

Civil Action No.

) CV 10-02389 PVT

ADR

## SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) FACEBOOK, INC., a Delaware corporation, 1601 South California Avenue, Palo Alto, California 94304

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are: Sean Reis, Edelson McGuire LLP, 30021 Tomas Street, Suite 300, Rancho Santa Margarita, California 92688, (949) 459-2124;

Jay Edelson, Michael J. Aschenbrener, and Benjamin H. Richman, Edelson McGuire LLC, 350 North LaSalle Street, Suite 1300, Chicago, Illinois 60654, (312) 589-6370

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

*Ronald W. Wiebinga*  
CLERK OF COURT  
*GIA F. ESCOLANO*

Date: MAY 28 2010*Signature of Clerk or Deputy Clerk*

FAXED

Civil Action No. \_\_\_\_\_

**PROOF OF SERVICE***(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for (*name of individual and title, if any*) \_\_\_\_\_  
 was received by me on (*date*) \_\_\_\_\_.

I personally served the summons on the individual at (*place*) \_\_\_\_\_  
 on (*date*) \_\_\_\_\_; or

I left the summons at the individual's residence or usual place of abode with (*name*) \_\_\_\_\_  
 , a person of suitable age and discretion who resides there,  
 on (*date*) \_\_\_\_\_, and mailed a copy to the individual's last known address; or

I served the summons on (*name of individual*) \_\_\_\_\_  
 designated by law to accept service of process on behalf of (*name of organization*) \_\_\_\_\_  
 on (*date*) \_\_\_\_\_; or

I returned the summons unexecuted because \_\_\_\_\_; or

Other (*specify*): \_\_\_\_\_

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00 \_\_\_\_\_.

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

*Server's signature**Printed name and title**Server's address*

Additional information regarding attempted service, etc: